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Federal Election Commission Washington, DC 20463

MEMORANDUM

TO:

Gregory R. Baker

Deputy General Counsel of Administration

Office of General Counsel

FROM:

Lynn M. Frasen

Director, ADR Office

CC:

Patricia C. Orrock

Chief Compliance Officer (w/o documents)

Jeff Jordan, Docket Leader

Complaints Examination & Legal Administration (w/o documents)

Daniel A. Petalas

Associate General Counsel for Enforcement

Kathleen Guith

Deputy Associate General Counsel for Enforcement

Deborah Chacona

Assistant Staff Director, Reports Analysis Division (w/o documents)

SUBJECT:

ADR 718 (RAD 14L-14) **R**

Afghanistan & Iraq Veterans for Congress PAC and Scott B. Mackenzie,

Treasurer

DATE:

September 30, 2014

Pursuant to Commission procedures to refer a matter to the Office of General Counsel if the Committee does not elect to participate in the ADR process, enclosed please find the referral of the Afghanistan & Iraq Veterans for Congress PAC and Scott B. Mackenzie, Treasurer (Respondents or the Committee). The ADR Office refers this matter to the Office of General Counsel for appropriate enforcement action.

The Reports Analysis Division (RAD) referred Respondents for failing to disclose all activity on their 2012 30 Day Post-General Report. Respondents filed their original 2012 30 Day Post-General Report on December 6, 2012. On July 9, 2013, the Committee filed

an Amended 2012 30 Day Post-General Report that disclosed additional receipts of \$109,566.25 and additional disbursements totaling \$132,979.21.

The ADR Office records now reflect ADR 718 (RAD 14L-14) as closed.

REPORTS ANALYSIS DIVISION REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE:

May 15, 2014

ANALYST:

David Butler

I. COMMITTEE:

Afghanistan & Iraq Veterans for Congress

PAC

C00459412

Scott B. Mackenzie, Treasurer

(02/06/14 - Present) Chris Covucci, Treasurer (02/25/09 - 02/05/14)

2776 S. Arlington Mill Dr. #806

Arlington, VA 22206

II. RELEVANT STATUTE:

2 U.S.C. § 434(b)(2) and (4) 11 CFR § 104.3(a) and (b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Afghanistan & Iraq Veterans for Congress PAC ("the Committee") amended its 2012 30 Day Post-General Report to disclose additional receipts totaling \$109,566.25 and additional disbursements totaling \$132,979.21 that were not disclosed in the original report (Attachment 2).

On December 6, 2012, the Committee filed the original 2012 30 Day Post-General Report covering the period from October 18, 2012 through November 26, 2012. The report disclosed \$0.00 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals) and \$0.00 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals). The report also disclosed \$0.00 in disbursements on Line 21(b) (Other Federal Operating Expenditures) and \$25,000.00 in disbursements on Line 23 (Contributions to Federal Candidates) of the Detailed Summary Page (Images 12962896358-59).

On July 9, 2013, the Committee filed an Amended 2012 30 Day Post-General Report. The report disclosed \$21,132.00 in receipts on Line 11(a)(i) and \$88,434.25 in receipts on Line 11(a)(ii) of the Detailed Summary Page, a total increase in receipts of \$109,566.25 from the original report. The report also disclosed \$125,979.21 in disbursements-on-Line-21(b) and \$32,000:00 in disbursements-on-Line-23 of the Detailed Summary Page, a total increase in disbursements of \$132,979.21 from the original report (Images 13964009660-61, Attachment 2).

On October 29, 2013², a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2012 30 Day Post-General Report, received July 9, 2013. The RFAI requested clarification regarding the additional receipts and disbursements disclosed on the Amended 2012 30 Day Post-General Report that were not disclosed on the original filing (Images 13330038986-87).

On November 18, 2013, the Reports Analysis Division (RAD) Analyst left a voice mail message for Kieran Lalor, a representative for the Committee, stating that the Analyst was trying to reach Christopher Covucci, the Committee Treasurer, regarding the RFAI referencing the increased activity disclosed on the Amended 2012 30 Day Post-General Report, received July 9, 2013. The Analyst stated that this matter could be forwarded to another office for further Commission action and asked that his call be returned (Attachment 3).

On the same day, Mr. Lalor returned the RAD Analyst's call. The Analyst told Mr. Lalor how to obtain a copy of the RFAI involving increased activity disclosed on the Amended 2012 30 Day Post-General Report, received July 9, 2013. The Analyst said that this issue could be referred for further action to the Commission and if the Committee wanted to provide further clarification of this issue, they should submit the clarification for the public record by December 3, 2013 (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

² Please note the RFAI was originally sent to the Committee on September 19, 2013. However, the RFAI was removed from the public record and resent to the Committee on October 29,2013 due to the government shutdown that occurred in October 2013.

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Afghanistan & Iraq Veterans for Congress PAC (C00459412)

Additional Receipts by Line Number

2012 30 Day Post-General Report/Amended 2012 30 Day Post-General Report

Report Line	2012 30 Day Post- General Report (Image 12962896358)	Amended 2012 30 Day Post- General Report, received 7/9/13 (Image 13964009660)	Variance Amount
Line 11(a)(i): Itemized Contributions from Individuals	\$0.00	\$21,132.00	\$21,132.00
Line 11(a)(ii): Unitemized Contributions from Individuals	\$0.00	\$88,434.25	\$88,434.25
		Total Variance	<u>\$</u> 109,566.25

Additional Disbursements by Line Number

2012 30 Day Post-General Report/Amended 2012 30 Day Post-General Report

Report Line	2012 30 Day Post- General Report (Image 12962896359)	Amended 2012 30 Day Post- General Report, received 7/9/13 (Image 13964009661)	Variance Amount
Line 21(b): Other Federal Operating Expenditures	\$0.00	\$125,979.21	\$125,979.21
Line 23: Contributions to Federal Candidates	\$25,000.00	\$32,000.00	\$7,000.00
		tilotal variance.	\$132,979.21